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fact," that is, ideas with definitely known and sensible physical counterparts. The elaboration of this distinction occupies about one-half of the whole discussion, and is based upon an analysis of the nature and origin of language. The essayist does not deny, as he tells us in chapter vii, the existence of the super-sensible-ego and the possible validity of its experience; he argues only that in sociology, reasoning based upon animistic conceptions must be set aside. There is, however, a permissive use of imagination-ideas—they may be used as "guides and incentives to useful conduct" (p. 140).

After developing his fundamental principles and fixing the field of sociological investigation, the essayist sets himself the task of showing how the application of his principles within that field would lead, among other changes, to a reconstruction of the theory of criminal law and to new ways of dealing with criminal classes; to an enlarged and more comprehensive system of public education, especially for the children of the poorer classes; to a system of public education broadened into a state-aided and state-directed philanthropy. It is not necessary to observe that sanitary measures and sanitary agencies have a large place in Mr. Payson's schemes for the amelioration of social conditions and the equal comfort and progress of all classes.

There is in this essay possibly more evidence of wide reading in general literature, in philosophy and science, than of intensive reading in the contemporary literature of sociology itself. Mr. Payson writes with a certain naïveté; he has no doubt worked out his views largely at first hand, and one must ask whether he is aware that Auguste Comte, Herbert Spencer, Lester F. Ward and others have placed similar stress upon the importance of the positive and empirical method. It is a merit of Mr. Payson's essay that he writes definitely of present problems. The essay is not in any sense a study of the origin of society.

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The Jacksonian Epoch. By CHARLES H. PECK. Pp. viii, 472. Price, \$2.50. New York: Harper & Bros., 1899.

This work is an elaborate defence of Jackson and the Jacksonian epoch. By this I do not mean that Mr. Peck has dealt with his subject in an intentionally partisan manner, but rather that in making what he considers a perfectly fair interpretation of the events of that exciting epoch, he has found it possible to take a view essentially different from that commonly accepted. His success or failure must depend largely on the adequacy of his proof of the following fundamental propositions: that in 1828 the chaos of politics had reached

the stage of crystallization ; that forces beyond the control of party leaders were pushing forward a new democratic element ; that Jackson as the representative of this new party was but the embodiment of its political tendencies, in no way individually responsible for the acts which history has usually charged against his name, and that most of his presidential measures were either defensible in themselves, as was the case with the attack on the United States Bank, or were unavoidable accompaniments of a new political epoch, as in the case of the spoils system. Mr. Peck's book is a very interesting brief drawn in support of each of these and of many other like propositions, and, furthermore, he has made out a very good case.

But the work is not merely a study of political movements, it contains also extensive analyses of political leaders and their influence. From this point of view it is an account of the career and influence of Henry Clay and of the long drawn out feud between him and Jackson. No contrast could be greater than that which Mr. Peck draws between these two great political characters, and the effect is heightened by the particular stress which he lays upon the personality of Clay and the impersonality of Jackson. To the personal influence of Clay more than of any other man the author ascribes the war of 1812 (p. 56); the delay in signing the treaty of Ghent, thus making possible Jackson's victory at New Orleans (p. 61); "in large degree" the authorship of the Monroe Doctrine (pp. 90, 110); the Missouri Compromise (p. 85); the tariff of 1824 (p. 94); the compromise measure of 1833 (p. 211), and, above all else, the very existence and continuance of the Whig party. On the other hand he believes that Jackson "was the chance instrument by which the forces that had been long gathering were to assert themselves" and that "his potent personality affected rather the hue than the texture of the political fabric" (p. 125). Speaking of the spoils system he says that any other man at the time representing the Democratic party would have pursued substantially the same course (p. 146. Cf. pp. 330-31). The characteristics of Jackson's period were not due, he believes, to Jackson's personal influence, but "to the direction of the popular mind which made his elevation and doings possible." "Had he been born a few years earlier or later he would have died in obscurity" (p. 332). "When he appeared before the public eye a new stream of thought and action had started. It swept about him and carried him with its torrent. The economic and political cleavage of the North and South was becoming more and more apparent. The attention and interest of the people were directed toward politics as they had never been before. The democratic impulse, through natural and necessary causes too large and various to possess a single, much less a personal source, was

revived and increased. That Jackson chanced to be the personage to whom it was attracted, and that his personality contributed to intensify it, are not to be regretted. With all his defects and administrative errors the sum of his influence was beneficial" (pp. 339-40).

Among historical writers Mr. Peck's chief protagonist seems to be Professor Von Holst, whose characterization of Jackson's presidency as a "reign" which "systematically undermined the public conscience and diminished the respect of the people for the government" Mr. Peck declares to be false. The author endeavors to refute this statement (pp. 335-41) and declares that Von Holst's judgment shows a lack of insight which is characteristic of the idealist and the bookman. Not a few students of American history will welcome Mr. Peck's views and will be ready to believe that the American writer has discovered the inwardness of the Jacksonian period more truly than has the German professor.

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The Commerce Clause of the Federal Constitution. By E. PARMALEE PRENTICE and JOHN G. EGAN. Pp. lxxv and 386. Price, \$6.00. Chicago: Callaghan & Co., 1898.

Since Marshall wrote his famous decision in the case of *Gibbons v. Ogden* seventy-five years ago, constitutional law relating to interstate and foreign commerce has had a large development; yet it would doubtless surprise most persons to find that a volume on "The Commerce Clause of the Federal Constitution" could contain references to nearly 1,800 cases. This, however, is the number of cases cited in the scholarly volume by Mr. Prentice and Mr. Egan; and the authors have studied these cases and the numerous statutes cited in their work with assiduity and discretion. The result of their study is a comprehensive and systematic treatise that makes a substantial addition to the literature of commercial law.

The place which the volume by Messrs. Prentice and Egan holds in the literature of the subject with which it deals is shown by the fact that when the American and English Encyclopedia of Law was published in 1890, only the four following authorities were referred to: Hare's "American Constitutional Law" (1889); Harper's "Law of Interstate Commerce" (1887); Patterson's "Federal Restraints on State Action" (1888); and Rorer's "American Interstate Law" (1879). Since this list was made there was published the excellent monograph by Dr. William Draper Lewis, of Philadelphia, on "The Federal Power over Commerce and its Effect on State Action" (1892), and later the monograph of Francis Cope Hartshorne, also of Philadelphia, on